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Linda McCulloch  
Superintendent

DATE: October 5, 2006  
TO: Local Education Agency Administrators  
FROM: Christine Emerson, Director  
School Nutrition Programs  
SUBJECT: Verification Sample Sizes

Section 9(b)(3) of the Richard B. Russell National School Lunch Act (NSLA) was amended by the Child Nutrition and WIC Reauthorization Act of 2004, Public Law 108-265, to specify verification sample sizes for local educational agencies (LEAs). As stated in section 9(b)(3)(D)(iii) of the NSLA, the standard sample size is the lesser of three percent (3%) or 3,000 of the approved applications on file as of October 1. It is important to note that the NSLA, as revised in 2004, now establishes an **exact** sample size for routine annual verification activities. LEAs must verify **at least** as many applications as calculated by the sample formula **but may do no more**.

While the verification sample cannot exceed the statutory limits, LEAs still have an obligation to verify questionable applications (for cause). For cause may include but is not limited to situations where school officials have knowledge of household circumstances that would cause them to verify the information on the application. It is important to note that this restriction on sample size does not apply to the State Agency's ability to conduct application verification activities connected to its general oversight responsibilities.

If you have questions, please contact School Nutrition Programs at (406) 444-2501.